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EXAMINER

AKLILU, KIRUBEL

ART UNIT	PAPER NUMBER
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2617

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Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/804,910

Applicant(s)

YANG ET AL.

Examiner

Kirubel Aklilu

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 07 February 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 6-13 and 15-31 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 6-13, and 15-31 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 13 March 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Arguments

Applicant's arguments filed 2/7/05 have been fully considered but they are not persuasive.

With respect to the Shoff reference, the Applicants argue "It appears that the teaching of the Shoff reference may have been misapprehended. For example, the office action cites to Fig. 3, and paragraphs 39 and 40 of page 3 as allegedly teaching integrating a live stream database with at least one recorded material database to produce an extended electronic program guide. However, as noted in the cited paragraphs, Fig. 3 **does not show an electronic program guide that is produced for display** but instead refers to and shows a visualization of a data structure 48 which is used by the EPG database 46 to organize programming information. In fact, it does not appear that the cited portions reference or show any extended electronic program guide for display. Accordingly, the claims are in condition for allowance for this reason alone." The Applicant further argues "**An extended electronic programming guide for display is not mentioned or referenced.** The cited Fig. 2, and paragraph 34 of page 3, show and describe an EPG server 44 implemented as a structured query language (SQL) database 46. Although paragraph 34 mentions "programming information needed by the EPG at the viewer computing unit 23", **no displayable EPG is identified in Fig. 2 or shown in any other FIGs. of Shoff.** Claim 1 of the Applicant's application identities

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"integrating the live stream data base with the at least one recorded material data base to produce an extended electronic program guide". No where within the cited portions of Shoff is a produced extended electronic program guide shown, described, or referenced. Accordingly, Applicant submits that at least for, but not limited to, the above reasons claim 1 as written is in condition for allowance."

It is the examiner's understanding that the Applicant's argument is in regards to the fact that Shoff does not teach **the display** of the extended program guide. The applicant is reminded that no where in the Applicant's original claim was present a limitation for **displaying** an extended electronic program guide, only "**to produce** an extended program guide". The Applicant is reminded that although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993).

In view of the above, the Examiner believes that the broadest interpretation of the presented claimed invention does in fact read on the cited reference for at least the reasons discussed above and as stated in the detail Office Action as follows. This Office action is now made final.

Claim Rejections - 35 USC § 102

The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

Claims **6-13**, and **15** are rejected under 35 U.S.C. 102(e) as being anticipated by Shoff et al (US Pub # 2001/0001160).

6. As for **Claim 6**, Shoff et al. teach system for providing an extended electronic program guide (see Shoff et al. [0015] "An electronic programming guide (EPG) is stored in the memory and executable on the processor to organize programming information that is descriptive of the video content programs."), comprising:

at least one recorded material database containing at least information related to recorded material (see Fig. 2 database 54, pg 3 [0035] "The headend 22 further includes an enhanced content server 52 which serves supplemental interactive content to the viewer computing units to enhance or supplement the continuous video streams served by the continuous media server 42. The supplemental content is stored digitally in database 54 and can be text, graphics, video, picture, sound, or other multimedia types." Database 54 is interpreted to be a recorded material database with information related to recorded material);

at least one live stream material database containing at least information regarding at least one of: a current live stream and a future live stream (see Fig 2

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database 40, pg 3 [0033] "The headend maintains a database of programs 40 that can be served by a continuous media server 42 to individual viewers in an on-demand mode. The headend can also retransmit to its subscribers broadcast video signals that it receives from another source, such as a satellite feed or another cable system."

Database 40 is interpreted to be a live stream database that provides continuous media to users in an on-demand mode and broadcast video signals that is received from satellite feeds and cable systems on current live stream and future live stream); and

a database integrator that produces the extended electronic program guide, the database integrator operatively connected to the at least one recorded material database and the at least one live stream database, the extended electronic program guide including information related to the at least one of: a current live stream and a future live stream (see Fig. 2 database 46, pg 3 [0034] and Fig.3 pg 3 [0039] and [0040]). Shoff expressly teaches that the supplemental interactive contents are stored or recorded in database (54). Shoff teaches live stream database (40) which may include programs such as TV shows, movies, games etc. Therefor, the EPG server functions as an integrator for integrating live stream database (database of programs 40) and supplemental interactive database (database 54).).

7. As for **Claim 7**, Shoff et al. teach the recorded material is time-shifted data of predetermined live stream data (see pg 2 [0017] "The Internet browser uses the target specification in the EPG to start the target resource. The target resource contains the supplemental content to enhance the television program. The supplemental content

might be, for example, questions about the program, games, trivia information, facts about the actors and producers, information on other episodes, advertisements, a listing of products or memorabilia about the program, and so on.” The supplemental material is interpreted to be time-shifted data of a predetermined live stream data).

8. As for **Claim 8**, Shoff et al. teach the recorded material is material derived from a source of digital data (see pg 3 [0033] “The video data streams are sent to the viewer computing units in digital or analog format.”).

9. As for **Claim 9**, Shoff et al. teach respective recorded material of a plurality of recorded materials is derived from a respective source of digital data of a plurality of digital data (see pg 3 [0033], [0035] and [0039] “The supplemental content is stored digitally in database 54 and can be text, graphics, video, picture, sound, or other multimedia types.”).

10. As for **Claim 10**, Shoff et al. teach the at least one recorded material database includes, related to predetermined recorded material, identification data, and optionally, at least one of data representing: time recorded, time duration, actors/actresses, rating, and password (see Fig. 3 pg 3 [0039] “The data structure includes a number of data records comprising various data fields 50 for holding programming information. The data fields contain program titles, actor names, whether the program has closed captioning or stereo audio, the scheduled time of the program, the network name, and

description text.” Pg 2 [0017] “he supplemental content might be, for example, questions about the program, games, trivia information, facts about the actors and producers, information on other episodes, advertisements, a listing of products or memorabilia about the program, and so on.”).

11. As for **Claim 11**, Shoff et al. teach a system for providing an extended electronic program guide (see Shoff et al. [0015] “An electronic programming guide (EPG) is stored in the memory and executable on the processor to organize programming information that is descriptive of the video content programs.”), comprising:

a plurality of digital material databases of digital material (Fig. 2 database 42/52; pg 3 [0033]); and

a database integrator (Fig. 2, EPG server 44) operatively connected to the plurality of digital material databases, the integrator producing an extended electronic program guide from the plurality of digital material databases (see pg 3 [0034], [0035], [0017], [0040]. Shoff expressly teaches that the supplemental interactive contents are stored or recorded in database (54). Shoff teaches live stream database (40) which may include programs such as TV shows, movies, games etc. Therefor, the EPG server functions as an integrator for integrating live stream database (database of programs 40) and supplemental interactive database (database 54).).

12. As for **Claim 12**, Shoff et al. teach the digital material is recorded material that is time shifted data of predetermined live stream data (see pg 2 [0017] “The Internet

browser uses the target specification in the EPG to start the target resource. The target resource contains the supplemental content to enhance the television program. The supplemental content might be, for example, questions about the program, games, trivia information, facts about the actors and producers, information on other episodes, advertisements, a listing of products or memorabilia about the program, and so on.” The supplemental material is interpreted to be time-shifted data of a predetermined live stream data).

13. As for **Claim 13**, Shoff et al. teach the digital material database includes, for predetermined stored recorded material data, identification data, and at least one of data representing: time recorded, time duration, actors/actresses, rating, and password (see Fig. 3 pg 3 [0039] “The data structure includes a number of data records comprising various data fields 50 for holding programming information. The data fields contain program titles, actor names, whether the program has closed captioning or stereo audio, the scheduled time of the program, the network name, and description text.” Pg 2 [0017] “he supplemental content might be, for example, questions about the program, games, trivia information, facts about the actors and producers, information on other episodes, advertisements, a listing of products or memorabilia about the program, and so on.”).

15. As for **Claim 15**, Shoff et al. teach the information regarding at least one of:

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a current live stream and a future live stream correspondingly includes at least one of:

identification of the current live stream and identification of the future live stream, and the information related to recorded material includes identification of the recorded material (see fig. 3 unit 58 Supplemental content. The hyperlinks of the supplemental content is interpreted to be information related to recorded material that corresponds to a current live stream and/or future live stream of a program to be transmitted over a network channel, such as CBS or NBC as shown in Fig. 3). The “at least one of” in language of the claim is interpreted by the examiner to mean that only one of the limitations needs to be met.

Claims **16-21** are rejected under 35 U.S.C. 102(e) as being anticipated by Hassell et al (US Pub # 2003/0149980).

16. As for **Claim 16**, Hassell et al. teach a method for providing an extended electronic program guide (see Hassell et al. [0001] “This invention relates to video systems, and more particularly, to interactive television program guide systems which allow for digital storage of programs and program related information.”), comprising the steps of:

generating at least one recorded material database containing at least information related to recorded material (see [0009] “the current invention gives the user the ability to store information associated with recorded programs in a directory in the digital storage device thereby providing easy access to program information.” The

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directory with information on recorded material is interpreted to be a recorded material database with information related to recorded material);

processing at least one of a current and a future live stream to obtain data regarding the at least one of a current and a future live stream (see [0007] "Program guide data is provided by a data source in a satellite uplink facility. This information is transmitted to a television distribution facility such as a cable headend via satellite link. The television distribution facility distributes the information (and television programming signals) to user television equipment on which an interactive television program guide is implemented." It is interpreted that current and future live stream is processed by the data source at the satellite uplink facility to obtain the program list data regarding the current and future live stream that is provided as a program guide to television users); and

producing, for display, the extended electronic program guide by integrating data regarding the at least one of a current live stream and a future live stream with data from the at least one recorded material database, the extended electronic program guide including displayed information related to the recorded material and information regarding the at least one of a current live stream and a future live stream (see fig. 4 and [0027] "From the main menu, the user can access any one of a number of features of the program guide. Features indicated by main-menu screen 50 may include program listings, recording schedules, the digital storage medium directory, program guide setup, transferring stored entries and super-programs to another volume or device, and global media library." Main Menu of Fig. 4 is a main menu of an extended

electronic program guide that provides the user an option to select "Program Listings" which provides listings of current live and future live streams, and "Media Directory" which provides the user an option to access recorded material through the same extended electronic program guide).

17. As for **Claim 17**, Hassell et al. teach the at least one recorded material database includes, for predetermined recorded material identification data, and optionally, at least one of time recorded, time duration, actors/actresses, rating, and password (see [0052] "The program guide may also store associated program data in a directory entry of digital storage device 49. This data can include, for example, the date and time the program was recorded, the channel the program was recorded on, the time duration of the program, the program title and description, cast members, parental control ratings, program categories, episode information, recorded languages and video formats, Internet links, graphics, or any other information supplied by main facility 12 of FIG. 1, the user, or the programmer.").

18. As for **Claim 18**, Hassell et al. teach the data regarding the at least one of a current and a future live stream includes correspondingly at least one of identification of the current live stream and identification of the future live stream (see Fig. 5a and [0030] "An illustrative program listings grid 60 is shown in FIG. 5a. Program listings grid 60 has program listings rows 62, 64, 66, and 68. Program listings row 62 contains selectable program listings for programs 1 and 2 on channel 2 (Public Television).

Program listings row 64 contains selectable program listings for programs 1 and 2 on channel 3 (HBO). Program listings row 66 contains selectable program listings for programs 1, 2, and 3 on channel 4 (NBC). Program listings row 68 contains a selectable program listing for program 1 on channel 5 (FOX). The programs on each channel are typically different.”), and

the information related to recorded material includes identification of the recorded material (see [0052 “The program guide may also store associated program data in a directory entry of digital storage device 49. This data can include, for example, the date and time the program was recorded, the channel the program was recorded on, the time duration of the program, the program title and description, cast members, parental control ratings, program categories, episode information, recorded languages and video formats, Internet links, graphics, or any other information supplied by main facility 12 of FIG. 1, the user, or the programmer.”])).

19. As for **Claim 19**, Hassell et al. teach a system for providing an extended electronic program guide (see Hassell et al. [0001] “This invention relates to video systems, and more particularly, to interactive television program guide systems which allow for digital storage of programs and program related information.”), comprising:

at least one recorded material database containing at least information related to recorded material (see [0009] “the current invention gives the user the ability to store information associated with recorded programs in a directory in the digital storage device thereby providing easy access to program information.” The directory with

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information on recorded material is interpreted to be a recorded material database with information related to recorded material); and

a database integrator receiving at least one of a current and a future live stream and producing the extended electronic program guide, the database integrator operatively connected to the at least one recorded material database and the at least one of a current and a future live stream, the extended electronic program guide including displayed information related to the past recorded material and displayed information regarding the at least one of a current and a future live stream. See fig. 2 unit 28 Set-top-box, and fig. 3 unit 42 Control Circuitry, [0024]-[0028] "As shown in FIG. 3, program listings, programming and program data associated with the programming (hereinafter "associated program data") from television distribution facility 16 (FIG. 1) are received by control circuitry 42 of user television equipment 22 . . . To watch television, the user instructs control circuitry 42 to display a desired television channel on monitor 45. To access the features of the program guide, the user instructs the program guide implemented on user television equipment 22 to generate a main menu or a desired program guide display screen for display on monitor 45 . . . From the main menu, the user can access any one of a number of features of the program guide. Features indicated by main-menu screen 50 may include program listings, recording schedules, the digital storage medium directory, program guide setup, transferring stored entries and super-programs to another volume or device, and global media library." The control circuitry is interpreted to be a database integrator receiving current and live stream and producing the extended electronic program guide for display),

20. As for **Claim 20**, Hassell et al. teach the recorded material database includes, for predetermined recorded material, identification data, and optionally, at least one of time recorded, time duration, actors/actresses, rating, and password (see [0052] “The program guide may also store associated program data in a directory entry of digital storage device 49. This data can include, for example, the date and time the program was recorded, the channel the program was recorded on, the time duration of the program, the program title and description, cast members, parental control ratings, program categories, episode information, recorded languages and video formats, Internet links, graphics, or any other information supplied by main facility 12 of FIG. 1, the user, or the programmer.”).

21. As for **Claim 21**, Hassell et al. teach the information regarding the at least one of a current and a future live stream includes correspondingly at least one of an identification of the current live stream and an identification of the future live stream (see Fig. 5a and [0030] “An illustrative program listings grid 60 is shown in FIG. 5a. Program listings grid 60 has program listings rows 62, 64, 66, and 68. Program listings row 62 contains selectable program listings for programs 1 and 2 on channel 2 (Public Television). Program listings row 64 contains selectable program listings for programs 1 and 2 on channel 3 (HBO). Program listings row 66 contains selectable program listings for programs 1, 2, and 3 on channel 4 (NBC). Program listings row 68 contains a selectable program listing for program 1 on channel 5 (FOX). The programs on each

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channel are typically different.” It is interpreted that a current live stream and future live stream are identified to be either current or future live stream by the display of the time of scheduled broadcast shown on the extended electronic program guide), and

the information related to recorded material includes identification of the recorded material (see [0052 “The program guide may also store associated program data in a directory entry of digital storage device 49. This data can include, for example, the date and time the program was recorded, the channel the program was recorded on, the time duration of the program, the program title and description, cast members, parental control ratings, program categories, episode information, recorded languages and video formats, Internet links, graphics, or any other information supplied by main facility 12 of FIG. 1, the user, or the programmer.”]).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims **22-31** are rejected under 35 U.S.C. 103(a) as being unpatentable over Shoff et al. (US PG-PUB 2001/0001160 A1) in view of Matthews, III et al. (U.S. Patent # 6,025,837).

22. As for **Claim 22**, Shoff et al. teach a method for providing and displaying an extended electronic program guide (see Shoff et al. [0015] “An electronic programming guide (EPG) is stored in the memory and executable on the processor to organize programming information that is descriptive of the video content programs.”), comprising the steps of:

generating at least one recorded material database containing at least information related to recorded material (see Fig. 2 database 54, pg 3 [0035] “The headend 22 further includes an enhanced content server 52 which serves supplemental interactive content to the viewer computing units to enhance or supplement the continuous video streams served by the continuous media server 42. The supplemental content is stored digitally in database 54 and can be text, graphics, video, picture, sound, or other multimedia types.” Database 54 is interpreted to be a recorded material database with information related to recorded material);

generating at least one live stream database containing at least information regarding at least one of a current live stream and a future live stream (see Fig 2 database 40, pg 3 [0033] “The headend maintains a database of programs 40 that can be served by a continuous media server 42 to individual viewers in an on-demand mode. The headend can also retransmit to its subscribers broadcast video signals that it receives from another source, such as a satellite feed or another cable system.” Database 40 is interpreted to be a live stream database that provides continuous media

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to users in an on-demand mode and broadcast video signals that is received from satellite feeds and cable systems on current live stream and future live stream);

Shoff et al. do not expressly teach producing, for display, the extended electronic program guide by integrating data from the at least one of: the live stream database and the pre-generated database, with data from the at least one recorded material database, the extended electronic program guide including information related to the recorded material and information regarding the at least one of: a current and a future live stream. However, in the same field of endeavor, Matthews, III et al. teach an electronic program guide with hyperlinks to target resources that is produced for display by integrating data from a live stream database with data from recorded supplemental material database. See Matthews, III et al. col. 4 lines 48-65 "One or more hyperlinks, which reference target resources containing interactive supplemental content related to the programs, are displayed within the EPG UI. The hyperlinks can be placed in the program tiles, channel tiles, or description area, and can be situated alone or embedded within other text. When a viewer activates a hyperlink from the EPG UI, the user interface unit launches the browser to activate the target resource specified by the hyperlink. The data retrieved from the target resource is then displayed on the display unit." In light of the teaching of Matthews, III et al., it would have been obvious to one of ordinary skill in the art at the time the invention was made to have modified the teaching of Shoff et al. to produce for display the electronic program guide with integrated live and future stream with recorded supplemental material. One of ordinary skill in the art at the time the invention was made would have been motivated to do this in order to

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provide a user with a visually alert a user of supplemental material available while a user is viewing an EPG. See Matthews, III et al. col. 4 lines 59-65 “By integrating the hyperlinks within the EPG UI, the viewer can readily identify supplemental information to the programs and access that information directly from the EPG. The viewer no longer needs to remember that there may be a Web site associated with a particular program or channel, nor is the viewer relegated to surfing the Internet from a separate machine to find any related content.” ; and

displaying the extended electronic program guide wherein information related to the recorded material is displayed with information regarding the at least one of a current and a future live stream (see Matthews, III et al. fig. 5 information related to recorded material (unit 140 hyperlinks) is show displayed with information regarding current and future live stream (units 114 and 116)), the information regarding the at least one of a current and a future live stream including correspondingly at least one of: identification of the current live stream and identification of the future live stream (See Matthews, III et al. fig. 5 units 114 channel panel and 116 time panel col. 9 lines 1-10 “The EPG UI 110 includes a channel panel 114, a time panel 116, a program grid 118, and a program summary panel 120. Channel panel 114 provides a vertical scrolling list which displays four channel tiles 122 at any one time. Each channel tile 122 includes a channel number and a channel name (typically the network name, such as CBS and ABC), and might also include a channel logo.), and the information related to the recorded material including identification of the recorded material (See Matthews, III et al. fig. 5 unit 140 hyperlinks col. 9 line 56 – col. 10 line 13 “The EPG UI 110 also

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includes hyperlinks 140 integrated as part of the grid. The hyperlinks are supplied with the program records received from the headend 22. These hyperlinks can be inserted into the channel tiles 122, program tiles 124, or the description window 128. In the FIG. 5 illustration, the hyperlink "More" is provided in the description window 128 to reference target resources that contain additional information about this episode of the Seinfeld show. Other hyperlinks in the description window 128 include "Last Week" which references a target resource containing information on the previous week episode, and "comedy club" which links to a target resource having video coverage of comedian Jerry Seinfeld performing at night clubs.").

23. As for **Claim 23**, the modified Shoff et al. teach displaying the extended electronic program guide displays a grid of entries, the entries ordered by time, each of the entries indicating presence of existent recorded material when available and associated to the entry. (See Matthews et al. fig. 5. The figure meets all the limitations of the claim. Also, when an entry is highlighted as is "Seinfeld", the corresponding supplemental information with regards to this entry is presented by hyperlink 140)

24. As for **Claim 24**, Shoff et al. teach a system for providing and displaying an extended electronic program guide (see Shoff et al. [0015] "An electronic programming guide (EPG) is stored in the memory and executable on the processor to organize programming information that is descriptive of the video content programs."), comprising:

at least one recorded material database containing at least information related to recorded material (see Fig. 2 database 54, pg 3 [0035] "The headend 22 further includes an enhanced content server 52 which serves supplemental interactive content to the viewer computing units to enhance or supplement the continuous video streams served by the continuous media server 42. The supplemental content is stored digitally in database 54 and can be text, graphics, video, picture, sound, or other multimedia types." Database 54 is interpreted to be a recorded material database with information related to recorded material);

at least one live stream database containing at least information regarding at least one of a current and a future live stream (see Fig 2 database 40, pg 3 [0033] "The headend maintains a database of programs 40 that can be served by a continuous media server 42 to individual viewers in an on-demand mode. The headend can also retransmit to its subscribers broadcast video signals that it receives from another source, such as a satellite feed or another cable system." Database 40 is interpreted to be a live stream database that provides continuous media to users in an on-demand mode and broadcast video signals that is received from satellite feeds and cable systems on current live stream and future live stream);

a database integrator operatively connected to the at least one recorded material database and the at least one live stream database, the database integrator integrating data from the at least one recorded material database with data from the at least one live stream database (see Fig. 2 database 46, pg 3 [0034] and Fig.3 pg 3 [0039] and [0040]). Shoff expressly teaches that the supplemental interactive contents are stored

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or recorded in database (54). Shoff teaches live stream database (40) which may include programs such as TV shows, movies, games etc. Therefor, the EPG server functions as an integrator for integrating live stream database (database of programs 40) and supplemental interactive database (database 54).)

Shoff does not expressly teach said integrator to produce, for display, the extended electronic program guide, However, in the same field of endeavor, Matthews, III et al. teach an electronic program guide with hyperlinks to target resources that is produced for display by integrating data from a live stream database with data from recorded supplemental material database. See Matthews, III et al. col. 4 lines 48-65 “One or more hyperlinks, which reference target resources containing interactive supplemental content related to the programs, are displayed within the EPG UI. The hyperlinks can be placed in the program tiles, channel tiles, or description area, and can be situated alone or embedded within other text. When a viewer activates a hyperlink from the EPG UI, the user interface unit launches the browser to activate the target resource specified by the hyperlink. The data retrieved from the target resource is then displayed on the display unit.” In light of the teaching of Matthews, III et al., it would have been obvious to one of ordinary skill in the art at the time the invention was made to have modified the teaching of Shoff et al. to produce for display the electronic program guide with integrated live and future stream with recorded supplemental material. One of ordinary skill in the art at the time the invention was made would have been motivated to do this in order to provide a user with a visually alert a user of supplemental material available while a user is viewing an EPG. See Matthews, III et

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al. col. 4 lines 59-65 "By integrating the hyperlinks within the EPG UI, the viewer can readily identify supplemental information to the programs and access that information directly from the EPG. The viewer no longer needs to remember that there may be a Web site associated with a particular program or channel, nor is the viewer relegated to surfing the Internet from a separate machine to find any related content."

the extended electronic program guide including information related to the recorded material and information regarding the at least one of a current and a future live stream (see Matthews, III et al. fig. 5), the information regarding the at least one of a current and a future live stream including correspondingly at least one of an identification of the current live stream and an identification of the future live stream (See Matthews, III et al. fig. 5 units 114 channel panel and 116 time panel col. 9 lines 1-10 "The EPG UI 110 includes a channel panel 114, a time panel 116, a program grid 118, and a program summary panel 120. Channel panel 114 provides a vertical scrolling list which displays four channel tiles 122 at any one time. Each channel tile 122 includes a channel number and a channel name (typically the network name, such as CBS and ABC), and might also include a channel logo. The channel panel 114 defines four rows of program titles in program grid 118. Time panel 116 is a horizontal scrolling continuous time line with markings denoting half-hour time segments. Time panel 116 defines columns in program grid 118."), the information related to the recorded material including identification of the recorded material (See Matthews, III et al. fig. 5 unit 140 hyperlinks col. 9 line 56 – col. 10 line 13 "The EPG UI 110 also includes hyperlinks 140 integrated as part of the grid. The hyperlinks are supplied with

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the program records received from the headend 22. These hyperlinks can be inserted into the channel tiles 122, program tiles 124, or the description window 128. In the FIG. 5 illustration, the hyperlink "More" is provided in the description window 128 to reference target resources that contain additional information about this episode of the Seinfeld show. Other hyperlinks in the description window 128 include "Last Week" which references a target resource containing information on the previous week episode, and "comedy club" which links to a target resource having video coverage of comedian Jerry Seinfeld performing at night clubs.")

25. As for **Claim 25**, the limitations of claim 25 fall within the limitations of claim 23.

Claims 25 is analyzed and rejected accordingly.

26. As for **Claim 26**, Shoff et al. teach a method for providing an extended electronic program guide (see Shoff et al. [0015] "An electronic programming guide (EPG) is stored in the memory and executable on the processor to organize programming information that is descriptive of the video content programs."), comprising the steps of:

generating at least one recorded material database containing at least information related to recorded material (see Fig. 2 database 54, pg 3 [0035] "The headend 22 further includes an enhanced content server 52 which serves supplemental interactive content to the viewer computing units to enhance or supplement the continuous video streams served by the continuous media server 42. The supplemental content is stored digitally in database 54 and can be text, graphics, video, picture,

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sound, or other multimedia types.” Database 54 is interpreted to be a recorded material database with information related to recorded material);

generating at least one live stream database containing at least information regarding at least one of: a current and a future live stream (see Fig 2 database 40, pg 3 [0033] “The headend maintains a database of programs 40 that can be served by a continuous media server 42 to individual viewers in an on-demand mode. The headend can also retransmit to its subscribers broadcast video signals that it receives from another source, such as a satellite feed or another cable system.” Database 40 is interpreted to be a live stream database that provides continuous media to users in an on-demand mode and broadcast video signals that is received from satellite feeds and cable systems on current live stream and future live stream); and

Shoff et al. do not expressly teach producing, for display, the extended electronic program guide by integrating data from the at least one of: the live stream database and the pre-generated database, with data from the at least one recorded material database, the extended electronic program guide including information related to the recorded material and information regarding the at least one of: a current and a future live stream. However, in the same field of endeavor, Matthews, III et al. teach an electronic program guide with hyperlinks to target resources that is produced for display by integrating data from a live stream database with data from recorded supplemental material database. See Matthews, III et al. col. 4 lines 48-65 “One or more hyperlinks, which reference target resources containing interactive supplemental content related to the programs, are displayed within the EPG UI. The hyperlinks can be placed in the

program tiles, channel tiles, or description area, and can be situated alone or embedded within other text. When a viewer activates a hyperlink from the EPG UI, the user interface unit launches the browser to activate the target resource specified by the hyperlink. The data retrieved from the target resource is then displayed on the display unit." In light of the teaching of Matthews, III et al., it would have been obvious to one of ordinary skill in the art at the time the invention was made to have modified the teaching of Shoff et al. to produce for display the electronic program guide with integrated live and future stream with recorded supplemental material. One of ordinary skill in the art at the time the invention was made would have been motivated to do this in order to provide a user with a visually alert a user of supplemental material available while a user is viewing an EPG. See Matthews, III et al. col. 4 lines 59-65 "By integrating the hyperlinks within the EPG UI, the viewer can readily identify supplemental information to the programs and access that information directly from the EPG. The viewer no longer needs to remember that there may be a Web site associated with a particular program or channel, nor is the viewer relegated to surfing the Internet from a separate machine to find any related content."

27. As for **Claim 27**, Shoff et al. teach the recorded material includes at least one of: a link to information related to the content of a recorded information stream, video streams, still images, audio streams, and closed captioning information. (See Shoff et al. [0035] "The supplemental content is stored digitally in database 54 and can be text, graphics, video, picture, sound, or other multimedia types. Examples of supplemental

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content include trivia questions or games related to the program, advertisements, merchandise or other memorabilia, hyperlinks to similar programs of similar type or starring the same actor/actress, and so on.”)

28. As for **Claim 28**, Shoff et al. teach the recorded material is material derived from a source of digital data (see pg 3 [0033] “The video data streams are sent to the viewer computing units in digital or analog format.”).

29. As for **Claim 29**, Shoff et al. teach respective recorded material of a plurality of recorded materials is derived from a respective source of digital data of a plurality of digital data (see pg 3 [0033], [0035] and [0039] “The supplemental content is stored digitally in database 54 and can be text, graphics, video, picture, sound, or other multimedia types.”).

30. As for **Claim 30**, Shoff et al. teach the recorded material database includes, related to predetermined recorded material, identification data, and optionally at least one of: time recorded, time duration, actors/actresses, rating, and password (see Fig. 3 pg 3 [0039] “The data structure includes a number of data records comprising various data fields 50 for holding programming information. The data fields contain program titles, actor names, whether the program has closed captioning or stereo audio, the scheduled time of the program, the network name, and description text.” Pg 2 [0017] “he supplemental content might be, for example, questions about the program, games, trivia

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information, facts about the actors and producers, information on other episodes, advertisements, a listing of products or memorabilia about the program, and so on.”).

31. As for **Claim 31**, the modified Shoff et al. teach the information regarding at least one of: a current and a future live stream includes correspondingly at least one of: an identification of the current live stream and an identification of the future live stream (See Matthews, III et al. fig. 5 units 114 channel panel and 116 time panel col. 9 lines 1-10 “The EPG UI 110 includes a channel panel 114, a time panel 116, a program grid 118, and a program summary panel 120. Channel panel 114 provides a vertical scrolling list which displays four channel tiles 122 at any one time. Each channel tile 122 includes a channel number and a channel name (typically the network name, such as CBS and ABC), and might also include a channel logo. The channel panel 114 defines four rows of program titles in program grid 118. Time panel 116 is a horizontal scrolling continuous time line with markings denoting half-hour time segments. Time panel 116 defines columns in program grid 118.”),

and the information related to recorded material includes identification of the recorded material (See Matthews, III et al. fig. 5 unit 140 hyperlinks col. 9 line 56 – col. 10 line 13 “The EPG UI 110 also includes hyperlinks 140 integrated as part of the grid. The hyperlinks are supplied with the program records received from the headend 22. These hyperlinks can be inserted into the channel tiles 122, program tiles 124, or the description window 128. In the FIG. 5 illustration, the hyperlink “More” is provided in the description window 128 to reference target resources that contain additional information

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about this episode of the Seinfeld show. Other hyperlinks in the description window 128 include "Last Week" which references a target resource containing information on the previous week episode, and "comedy club" which links to a target resource having video coverage of comedian Jerry Seinfeld performing at night clubs.").

Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kirubel Aklilu whose telephone number is 571-272-7342. The examiner can normally be reached on 9:00AM - 5:30PM.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Christopher Kelly can be reached on 571-272-7331. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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NGOC-YEN VU
PRIMARY EXAMINER